

Rec'd No. 772006P/CC  
Amol H. Patel

10/17/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ruben, et al.

Application No.: 09/690,454

Group Art Unit: 1653

Filed: October 18, 2000

Examiner: K. C. Carlson

For: **Secreted Protein HEMCM42**  
(as amended)

AMENDMENT UNDER 37 C.F.R. § 1.116

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed September 27, 2002 (Paper No. 14), Applicants request entry of the amendments submitted herein. Applicants submit concurrently herewith: (a) Fee Transmittal Sheet in duplicate, with the appropriate fee; and (b) Version With Markings To Show Changes Made. Please amend the application as follows.

*In the Claims:*

Please cancel claims 1, 13 and 17-24 without prejudice or disclaimer.

Please enter amended claims 37, 42, 47, 52, 57, 58, 62, 63, 67, 68, 72 and 73:

*D1*  
*13*  
*37.* (Twice Amended) An isolated first polypeptide at least 90% identical to a second polypeptide consisting of amino acid residues 30 to 113 of SEQ ID NO:59, wherein said first polypeptide promotes vascularization.

*D2*  
*18*  
*42.* (Twice Amended) An isolated first polypeptide at least 90% identical to a second polypeptide consisting of the secreted portion of the polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075, wherein said first polypeptide promotes vascularization.